

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

IVAN PEREZ,

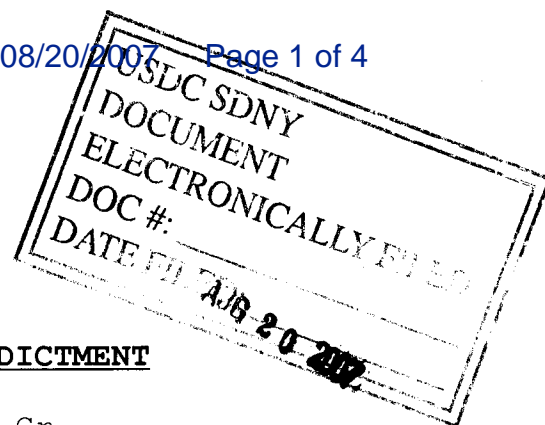
Defendant.

INDICTMENT

07 Cr.

07 CRIM

782



COUNT ONE

The Grand Jury charges:

1. In or about June 2007, in the Southern District of New York and elsewhere, IVAN PEREZ, the defendant, and others known and unknown, unlawfully, intentionally and knowingly, did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that IVAN PEREZ, the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, to wit, 100 grams and more of mixtures and substances containing a detectable amount of heroin, in violation of Sections 812, 841(a)(1), 841(b)(1)(B), and 860 of Title 21 of the United States Code.

Overt Acts

3. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others,

were committed in the Southern District of New York and elsewhere:

a. On or about June 20, 2007, in Bronx, New York, IVAN PEREZ, the defendant, met another individual and discussed the purchase of heroin.

b. On or about June 22, 2007, in Bronx, New York, IVAN PEREZ, the defendant, sold heroin to another individual.

(Title 21, United States Code, Section 846.)

FORFEITURE ALLEGATION

4. As a result of committing one or more of the controlled substance offenses alleged in Count 1 of this Indictment, IVAN PEREZ, the defendant, shall forfeit to the United States pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds PEREZ obtained directly or indirectly as a result of the said violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count 1 of this Indictment, including but not limited to the following:

A 2006 Dodge Charger, New York License Plate Number DAG4124, vehicle identification number 2B3KA43R46H392624, in the name of Luz E. Rodriguez.

Substitute Assets Provision

5. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendant--

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third party;
- (3) has been placed beyond the jurisdiction of the court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be divided without difficulty; it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property.

(Title 21, United States Code, Sections 841(a)(1),  
846 and 853.)

  
FOREPERSON

  
MICHAEL J. GARCIA  
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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INDICTMENT

07 Cr.

(21 U.S.C. §§ 812, 841(a)(1), and  
841(b)(1)(B).)

MICHAEL J. GARCIA  
United States Attorney.

A TRUE BILL

*Guido Ruiz Guzman*  
Foreperson.

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*Filed indictment. Case assigned to*

*Judge Koeltl.*

*—Fravers, J.*

*SRM  
8/20/07*